

NO. 25987

IN THE SUPREME COURT OF THE STATE OF HAWAII

FIRST HAWAIIAN BANK, Successor by Merger to
First Interstate Bank of Hawaii, fka American Security Bank,
a Hawaii corporation, Plaintiff-Appellee

vs.

CAROL SING and GARY SING, aka Phillip G.K. Sing,
Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CIV. NO. 1RC96-3799)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the "AFFIDAVIT" filed by appellants on December 12, 2003, which shall be treated as a motion for reconsideration of the November 18, 2003 order of dismissal, the papers in support and the record, it appears that the time for moving for reconsideration of the November 18, 2003 order of dismissal expired on November 28, 2003 and appellants' December 12, 2003 motion for reconsideration is untimely. See HRAP 40(a) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved."). Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawaii, December 17, 2003.